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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
LINDA MARSHALL, BEN DAMPIOS, AL  
SPILLOWAY, BERNIE APOTHEKER, HARRY  
ESPOSITO and BRENT WENTZ, on behalf of  
themselves and all others similarly situated,

Plaintiffs,

v.

MILBERG WEISS BERSHAD & SCHULMAN  
LLP, LERACH COUGHLIN STOIA GELLER  
RUDMAN & ROBBINS LLP, MELVYN I.  
WEISS, DAVID J. BERSHAD, and STEVEN G.  
SCHULMAN, DOES 1 THROUGH 15,

Defendants.  
-----X

Civ. No. 07-CV-6950 (LAP)

**DECLARATION**  
**OF ERIC R. LEVINE**

ERIC R. LEVINE, an attorney duly admitted to the Bar of this Court, declares the following, pursuant to 28 U.S.C. § 1746:

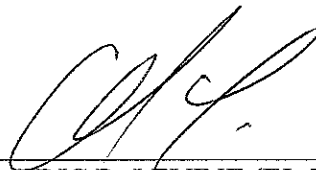
1. I am a member of the firm of Eiseman Levine Lehrhaupt & Kakoyiannis, P.C., attorneys for defendant Lerach Coughlin Stoia Geller Rudman & Robbins LLP (the "Coughlin Firm"). I submit this declaration – based upon my knowledge of the facts and circumstances gained through my representation of the Coughlin Firm – in support of the

Coughlin Firm's motion for an order, pursuant to Fed. R. Civ. P. 12 (b) (6) dismissing the complaint in this action in its entirety as against the Coughlin Firm.

2. Attached hereto are true and correct copies of the following Exhibits:

- Exhibit A: Class Action Complaint, dated August 2, 2007
- Exhibit B: Stipulation and [Proposed] Order
- Exhibit C: Certified Copies of Formation and Name Change Documents for the Coughlin Firm
- Exhibit D: Declination Letter from United States Attorneys' Office for the Central District of California, dated September 17, 2007
- Exhibit E: First Superseding Indictment in United States of America v. Lazar, et al., CR 05-587
- Exhibit F: Second Superseding Indictment in United States of America v. Lazar, et al., CR 05-587
- Exhibit G: "Notice of Change of Law Firm Name" submitted in In re US Oncology, Inc., Shareholders Litigation, CA No. 324-N, Delaware Court of Chancery, New Castle County
- Exhibit H: "Notice of Change of Law Firm Name" submitted in In re Barnesandnoble.com, Inc., Shareholder Litigation, CA No. 042-N, Delaware Court of Chancery, New Castle County
- Exhibit I: Complaint in Vogel v. The Bisys Group, Inc., et al., 04-CV-4048-LTS, United States District Court, Southern District of New York
- Exhibit J: Complaint in Vogel v. KVH Industries, Inc., et al., 04-CV-320-ML, United States District Court, District of Rhode Island
- Exhibit K: Complaint in In re Fox Entertainment Group, Inc., Shareholders Litigation, Consolidated Case No. 1033-N, Delaware Court of Chancery, New Castle County

Dated: October 30, 2007  
New York, New York



ERIC R. LEVINE (EL 7677)